REMARKS

In the Office Action, the Examiner rejected claims 1-35 under 35 USC § 102(e). This rejection is fully traversed below.

Claim 13 has been amended to clarify the subject matter regarded as the invention. Thus, claims 1-35 remain pending in the application.

Reconsideration of the application is respectfully requested based on the following remarks.

REJECTIONS OF CLAIMS 1-35 UNDER 35 USC 102(e)

In the Office Action, the Examiner rejected claims 1-35 under 35 USC § 102(e) as being anticipated by Suda (U.S. Patent Publication 2004/0123059). Applicants respectfully disagree.

In general, the invention pertains to a removable data storage device that intelligently operates as one large data storage region or as multiple, smaller data storage regions. The removable data storage device can be used in not only modern electronic products (using 32-bit addressing) but also legacy products (using 16-bit addressing). A host device can couple to the removable storage device to access data stored in/to the removable storage device. In general, host devices are electronic devices such as cameras, hand-held computers, set-top boxes, hand-held or other small audio players/recorders (e.g., MP3 devices), and medical monitors.

Claim 1 pertains to a method for reading data from a memory card that provides non-volatile storage. The method can be explained as follows. According to claim 1, a memory card is initially activated as a single (initial) volume. From the initial volume, volume information is retrieved. Then, based on the volume information, it is determined whether one or multiple volumes are present on the memory card. For example, the volume information can indicate whether the volume is formatted for FAT-16 files (as opposed to FAT-32 files). In the event that the volume information indicates that only one volume is present on the memory card, the memory card is operated as a single volume. On the other hand, when the volume information indicates that multiple volumes are present on the memory card, the memory card is operated as a plurality of distinct volumes.

Suda describes a memory card that can have a plurality of storage areas. The memory card is able to switch between the plurality of storage areas so that the memory card can utilize a storage capacity larger than the marginal capacity of the file system. That is, given the plurality of storage areas, memory card in Suda merely selects one of the storage areas to be utilized at a given point in time. The sum of the capacities of the plurality of storage areas is the total capacity of the memory card.

In order to determine whether the memory card has a plurality of storage areas, Suda describes two different methods for making the determination. One method concerns providing a flag in a conventional reserved area inside an internal memory. The other approach adds an internal register (at least one) for the storage areas. The internal register 18 for the plural storage areas "retains the quantity of all of the areas inside the memory card 3 and a flag indicating the area which is currently selected." Suda, col. 3, paragraph 43. As such, Suda does not teach or suggest any examination of volume information, such as file format, to determine whether a single volume or multiple volumes are present on the memory card. Indeed, the memory card according to claim 1 can be utilized with different file formatting. In other words, the memory card according to claim 1 can be utilized with a file system (large capacity) using FAT-32 files or a file system (moderate capacity) using FAT-16 files. The memory cards described in Suda, however, are only useful for a file system of a single format, namely, FAT-16. In this regard, at page 2, paragraph 30, Suda states: "According to the memory card of the first embodiment, it is possible to handle a storage capacity larger than the marginal capacity of the file system by means of providing plural storage areas. Moreover, since the memory card host device is required to correspond only to a single control method of the file system, it is possible to simplify the configuration of the memory card host device."

For the reasons noted above, it is submitted that claim 1 is patentably distinct from Suda.

Similarly, claim 13 pertains to a memory card that includes a controller for accessing data stored in a non-volatile data storage provided on the memory card. Specifically, the controller "examines the partition information stored in said non-volatile data storage to determine whether the single partition or the multiple partitions are being used based on the partition information" (claim 13, lines 10-12). Hence, the same non-volatile data storage is utilized as either as a single partition (e.g., single volume) or as

multiple partitions (e.g., multiple volumes). For the reasons noted above, it is submitted that claim 13 is also patentably distinct from Suda.

Claim 19 pertains to a memory device that also accesses volume information in a first volume to determine whether one or multiple volumes are present. Hence, for the reasons noted above, it is submitted that claim 19 is also patentably distinct from Suda.

Claim 26 pertains to a method for reading data from a memory card that provides non-volatile data storage. The method operates to determine whether one or multiple volumes are present on the memory card based on a switch position of a switch on the memory card. Hence, the memory card is operated as providing only a first volume or operated as providing a plurality of volumes in accordance with the switch position. In Suda, with regard to FIG. 7, the memory card can include mechanical switches 16a and 16b. These mechanical switches 16a and 16b merely allow the memory card host device to utilize either a first storage area 11a or a second storage area 11b. The mechanical switches 16a and 16b thus, do not permit the memory card to operate as a single volume (of large capacity) or as multiple volumes (each of moderate capacity), depending upon the switch position. Accordingly, it is submitted that claim 26 is patentably distinct from Suda.

Claim 28 pertains to a memory card that is configured as a single partition of a first size or as multiple partitions of a second size. For reasons similar to those noted above with respect to claim 26, it is submitted that claim 28 is also patentably distinct from Suda.

Based on the foregoing, it is submitted that claims 1, 13, 19, 26 and 28 are patentably distinct from Suda. In addition, it is submitted that dependent claims 2-12, 14-18, 20-25, 27 and 29-35 are also patentably distinct for at least the same reasons. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above discussed limitations are clearly sufficient to distinguish the claimed invention from Suda. Thus, it is respectfully requested that the Examiner withdraw the rejection of claims 1-35 under 35 USC §102(e).

SUMMARY

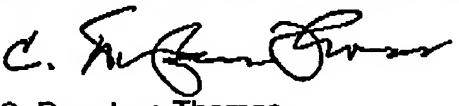
It is submitted that claims 1-35 are patentably distinct from Suda. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0388 (Order No. SDK1P017).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



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